

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	08/487,701	GRAY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ardin Marschel	1631	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/28/04 amendment.
2. ☒ The allowed claim(s) is/are 48,49,51-69,71-73,76-86,88-93, & 95-104; renumbered as 1-51, respectively.
3. ☒ The drawings filed on 26 April 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.   |

### DETAILED ACTION

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

In the specification:

On page 34, line 1, delete "Figure 9 shows"; and insert therefor  
-- Figures 9A - 9F show --.

On page 34, line 21, delete "Figure 11 illustrates"; and insert therefor  
-- Figures 11A - 11F illustrate --.

On page 35, line 16, delete "a. Section (a)"; and insert therefor  
-- Section 11A --.

On page 35, line 24, delete "b. Section (b)"; and insert therefor  
-- Section 11B --.

On page 35, line 25, delete "a)"; and insert therefor -- 11A --.

On page 36, line 5, delete "c. Section (c)"; and insert therefor  
-- Section 11C --.

On page 36, line 10, delete "d. Section (d)"; and insert therefor  
-- Section 11D --.

On page 36, line 10, delete "(c)"; and insert therefor  
-- Section 11C --.

On page 36, line 16, delete "e. Section (e)"; and insert therefor  
-- Section 11E --.

On page 36, line 18, delete "f. Section (f)"; and insert therefor  
-- Section 11F --.

On page 37, line 9, delete "Figure 13 shows"; and insert therefor  
-- Figures 13A - 13I show --.

On page 38, line 6, delete "Figure 14 graphically illustrates"; and insert therefor  
-- Figures 14A - 14B graphically illustrate --.

On page 38, line 12, delete "Figure 15 shows"; and insert therefor  
-- Figures 15A - 15B show --.

On page 38, line 20, delete "Figure 16 shows"; and insert therefor  
-- Figures 16A - 16B show --.

On page 39, line 3, delete "Figure 17 shows"; and insert therefor  
-- Figures 17A - 17B show --.

On page 39, line 19, delete "Figure 18 shows"; and insert therefor  
-- Figures 18A - 19B show --.

On page 39, line 23, delete "Figure 19 shows"; and insert therefor  
-- Figures 19A - 19B show --.

Papers related to this application may be submitted to Technical Center 1600 by facsimile transmission. Papers should be faxed to Technical Center 1600 via the Central PTO Fax Center. The faxing of such papers must conform with the notices published in the Official Gazette, 1096 OG 30 (November 15, 1988), 1156 OG 61 (November 16, 1993), and 1157 OG 94 (December 28, 1993)(See 37 CFR § 1.6(d)). The Central PTO Fax Center number is (571) 273-8300.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ardin Marschel, Ph.D., AU 1631 Supervisory Patent Examiner, whose telephone number is (571) 272-0718. The examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.

Any inquiry of a general nature or relating to the status of this application should be directed to Legal Instrument Examiner, Tina Plunkett, whose telephone number is (571) 272-0549.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 28, 2005

*Ardin H. Marschel 2/7/05*  
ARDIN H. MARSCHEL  
PRIMARY EXAMINER